

# District of Columbia Court of Appeals

No. M-231-07

## NOTICE

(FILED - November 28, 2007)

The District of Columbia Court of Appeals proposes to amend Rule 49 of the court's rules (Unauthorized Practice of Law) in the manner described in the following. The proposed changes stem from (a) recommendations by the District of Columbia Bar that in turn are based on recommendations by the Bar's Special Committee on Multijurisdictional Practice, and (b) additional amendments proposed by the court's Committee on Unauthorized Practice of Law. The proposed changes do not materially affect the scope of multijurisdictional practice currently authorized by Rule 49, but rather are meant to clarify or strengthen existing provisions. The principal amendments would:

- add an alternative dispute resolution (ADR) exception to Rule 49 (c), permitting out-of-District lawyers to engage in limited ADR practice;
- clarify and amend the current provision allowing practice in the District on an "incidental and temporary" basis by non-members of the Bar (proposed new commentary offers guidance on these terms); and
- amend several existing provisions to prohibit attorneys who are currently disbarred or suspended for disciplinary reasons elsewhere, or have resigned with charges pending, from practicing under certain Rule 49 exceptions (*i.e.*, those exceptions where no local court or administrative agency regulates their practice).

In this Notice, the proposed rule changes appear in two formats, both of which are available on the D.C. Court of Appeals' website at [www.dcappeals.gov](http://www.dcappeals.gov). The first is a compare-version in which proposed additions to the affected sections of present Rule 49 or the Commentary are underlined, while deletions from those sections are lined through.

The second format is a “clean” version of the sections affected, showing them as they will appear if the proposed changes are adopted.

Ten copies of any comments to the proposed changes to Rule 49 should be submitted to the Clerk, D.C. Court of Appeals, 500 Indiana Avenue, N.W., Sixth Floor, no later than February 1, 2008. All comments submitted pursuant to this Notice will be available to the public.